### **UTILITY PATENT APPLICATION TRANSMITTAL** (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 6006-108

Total Pages in this Submission 29

### TO THE ASSISTANT COMMISSIONER FOR PATENTS

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Tra	ansm entic	itted on ei	d here	with for	filing under 3	5 U.S	.C. 111(a) ar	nd 37 C.F.R. 1.53	(b) is a new utility patent ap	vi 269/01 plication for an 98/01 88/01
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lf	a CC	NT	NUA	TION A	PPLICATION,	ched	ck appropriat	e box and supply	the requisite information:	
Σ	g c	onti	nuati	on 🗆	Divisional		Continuati	on-in-part (CIP)	of prior application No.:	10/135,582
	hich'	<b>onti</b> is a	nuati						of prior application No.:	
E	nclos	ed a	are:				Applica	ation Elements		
	1.	$\boxtimes$	Filin	n fee as	calculated an	d trai	nsmitted as c	described below		
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	2.	×	Spe	cificatior	n having		14	pages and i	ncluding the following:	
		a.	$\boxtimes$	Descrip	otive Title of th	e Inv	ention			
		b.	X	Cross F	References to	Rela	ted Application	ons (if applicable)		
		C.		Statem	ent Regarding	Fed	erally-sponso	ored Research/De	evelopment (if applicable)	
		d.		Referer	nce to Sequer	ce Li	sting, a Tabl	e, or a Computer	Program Listing Appendix	
		e.	$\boxtimes$	Backgr	ound of the In	venti	on			
		f.	X	Brief Su	ummary of the	Inve	ntion			
		g.	$\boxtimes$	Brief De	escription of th	ne Dr	awings <i>(if file</i>	ed)		
		h.	X	Detaile	d Description					
		i.	$\boxtimes$	Claim(s	s) as Classifie	d Bel	ow			
		i.	$\boxtimes$	Abstrac	ct of the Disclo	sure				

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3.	X	Drav	wing(s) (when	necessary as pres	scribed by 35	5 USC 113)		
	a.	$\boxtimes$	Formal	Number of Sheet		4		
	b.		Informal	Number of Sheet	s			
4.	$\boxtimes$	Oath	n or Declaration	า				
	a.		Newly execute	ed (original or cop	y) 🗆	Unexecuted		
	b.	$\boxtimes$	Copy from a p	orior application (3	7 CFR 1.63(	d)) (for continu	ation/divisional application only)	
	C.	$\boxtimes$	With Power of	Attorney 🗆	Without Po	wer of Attorne	y	
	d.		Signed statem	F INVENTOR(S) nent attached dele 1.63(d)(2) and 1.		(s) named in t	the prior application,	
5.		The Box	entire disclosu 4b, is consid		olication, fror	n which a cop	y of the oath or declaration is supplice accompanying application and	
6.		CD	ROM or CD-R	in duplicate, large	table or Cor	nputer Progra	m (Appendix)	
7. 8.				heet (See 37 CFR Amino Acid Seque	•	sion (if applica	able, all must be included)	
	a.		Computer Re	adable Form (CFF	R)			
	b.		Specification	Sequence Listing	on:			
			i. 🗆 CD-	ROM or CD-R (2	copies); or			
			іі. 🗌 Рар	er				
	C.		Statement(s)	Verifying Identical	Paper and (	Computer Rea	idable Copy	
				Accor	npanying A	pplication Pa	rts	
9.		Assi	ignment Paper	s (cover sheet & c	locument(s)	)		
10.		37 (	CFR 3.73(B) St	atement (when the	ere is an ass	ignee)		
11.		Eng	lish Translatior	n Document (if app	olicable)			
12.		Info	rmation Disclos	sure Statement/P1	O-1449	☐ Copies o	of IDS Citations	
13.		Prel	iminary Amend	lment				
14.	X	Retu	urn Receipt Po	stcard (MPEP 503	3) (Should be	specifically it	emized)	
15.		Cert	tified Copy of F	riority Document(	s) (if foreign	priority is clair	med)	
16.	$\boxtimes$	Cert	tificate of Mailir	ng				
			First Class	☑ Express Mai	(Specify La	bel No.): ER	094873733 US	

**Application Elements (Continued)** 

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

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Total Pages in this Submission 29

		Accompanying Application Parts (Continued)
17.	Арр	licant claims small entity status. See 37 CFR 1.27.
		☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted:
17.		Additional Enclosures (please identify below):
		Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)
18.		Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.
		Warning
		An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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#### **Fee Calculation and Transmittal**

CLAIMS AS FILED

CLAING AS FILED							
For	#Filed	#Allowed	#Extra		Rate	Fee	
Total Claims	25	- 20 =	5	x	\$9.00	\$45.00	
Indep. Claims	2	- 3 =	0	x	\$43.00	\$0.00	
Multiple Dependent Claims (check if applicable)						\$0.00	
					BASIC FEE	\$370.00	
OTHER FEE (specify purpose)							
			•		TOTAL FILING FEE	\$415.00	

A check in the amount of to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No.

as described below. A duplicate copy of this sheet is enclosed.

□ Charge the amount of the control of the

\$415.00

as filing fee.

☑ Credit any overpayment.

□ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance,

pursuant to 37 C.F.R. 1.311(b).

Dated: Oct. JO, 1005

Signature

David G. Rosenbaum (Reg. No. 31,827) ROSENBAUM & ASSOCIATES, P.C.

875 North Michigan Avenue

Suite #3600

Chicago, IL 60611

Tel. (312) 397-0303

Fax (312) 397-0301

CC:

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Christopher T. Boyle, Steven R. Bailey, Christopher E. Banas and

Julio C. Palmaz

**SERIAL NO.:** 

FILING DATE:

Herewith

TITLE:

BALLOON CATHETER HAVING METAL BALLOON AND

METHOD OF MAKING SAME

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### **CERTIFICATE OF EXPRESS MAIL UNDER 37 CFR 1.10**

I hereby certify that the attached UTILITY PATENT APPLICATION ALONG WITH ALL NECESSARY ASSOCIATED AND TRANSMITTAL DOCUMENTS AND ALL FEES are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Mailing Label No. ER 094873733 US on the date indicated below and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Lori Dunham
(Person Signing Certificate)

October 24, 2003
(Date of Signature)